

### **REMARKS**

Claims 43-161 are pending in the subject application of which claims 43-151 are withdrawn. Claims 152-161 have been rejected. Applicants have herein cancelled claims 115, 116, 126, 127, and 144-151. Applicants have herein amended claims 152, 156, 160, and 161. Support for the amendments to the claims may be found in the specification of the subject application as originally filed. Specifically, support for the compounds in the claims, as amended, may be found, *inter alia*, in the specification of the subject application as originally filed at page 4, lines 10-22 and page 15, lines 3-17. Applicants have added new claims 162-170, further defining the compounds as in claims 152 and 156. Support for new claims 162-170 may be found, *inter alia*, in the specification of the subject application as originally filed at page 16, line 1 to page 18, line 10. Applicants have also added new claims 171-175, directed to a method of modulating the activity of a soluble adenylyl cyclase by contacting an eukaryotic cell with a compound that modulates the activity of the soluble adenylyl cyclase. Support for new claims 171-175 may be found, *inter alia*, in the specification of the subject application as originally filed at page 5, lines 8-20 and page 20, line 27- page 21, line 10. Applicants respectfully request entry of this Amendment. After entry of this Amendment, claims 43-143, and 152-175 will be pending of which claims 152-175 will be under examination, and claims 43-143 will be withdrawn. Applicants respectfully request reconsideration of the rejections set forth in the December 15, 2009 Office Action in view of the claims as presented herein and the following remarks.

#### **Claim Rejections under 35 U.S.C. § 112, First Paragraph**

Claims 152-161 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner's specific rationale is set forth on pages 2-5 of the December 15, 2009 Office Action.

According to the Examiner, claims 152-161 are directed to encompass all compounds that inhibit fungal or parasitic adenylyl cyclase, which only correspond in some undefined way (i.e. by function) to specifically instantly disclosed chemicals. According to the Examiner, the specification provides insufficient written description to support the genus encompassed by the claim. The Examiner asserts however that the specification discloses

chemicals, such as the adenylyl cyclase inhibitors of the formula on page 4, lines 10-24 of the specification, which meet the written description and enablement provisions of 35 U.S.C. 112, first paragraph.

In response, applicants have amended the claims to recite the chemical structures for the inhibitors as described in the specification, for example on page 4, lines 10-24. The Examiner has indicated that the claimed methods with respect to these inhibitors, represented by the recited chemical structures, meet the written description and enablement requirements. Therefore, applicants respectfully submit that the claims presented herein comply with the written description and enablement requirements. Accordingly, applicants respectfully request that the Examiner reconsider and withdraw the rejection.

If a telephone interview would be of assistance in expediting prosecution of the subject application, the Examiner is invited to contact the undersigned at the number provided below.

Respectfully submitted,

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